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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/377,402	08/20/1999	SHUNSUKE AKIFUJI	520.3746X00	7780

7590 11/03/2003

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EXAMINER

MEINECKE DIAZ, SUSANNA M

ART UNIT	PAPER NUMBER
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3623

DATE MAILED: 11/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/377,402

Applicant(s)

AKIFUJI ET AL.

Examiner

Susanna M. Diaz

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 05 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-6 and 8-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-6 and 8-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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### DETAILED ACTION

1. This Non-Final Office action is responsive to Applicant's after-final response filed *SMD* September 5, 2003, which has <sup>not</sup> been entered <sup>because it is non-compliant. However,</sup> ~~it has been entered~~ <sup>the Examiner has considered</sup> ~~the amendment filed 2/4/03~~ <sup>and withdrawn finally.</sup> Claims 1, 5, 12, 15, and 17 have been amended. Claims 1, 2, 4-6, and 8-19 are pending.

### Response to Arguments

2. Applicant's arguments with respect to claims 1, 2, 4-6, and 8-19 have been considered but are moot in view of the new ground(s) of rejection.

### Claim Objections

3. Claims 4, 12, and 17 are objected to because of the following informalities:

Claim 4, line 2, insert --out-- after "carried"

Claim 12, line 21, insert --at least one-- before "client"

Claim 17, line 16, insert --at least one-- before "client"

Appropriate correction is required.

4. Claim 9 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1, 2, 4-6, and 8-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the step of "previously defining in a definition table an abnormal status change to be detected in related business processes which are ***allowed to be executed simultaneously*** with each other by said client computers" (lines 6-8). 35 U.S.C. 112, second paragraph, requires an Applicant to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is not clear whether or not the related business processes are actually executed simultaneously or only capable of being executed as such, which means, for example, that while said related business processes could possibly be carried out simultaneously, they may actually be carried out in series in one instance. For examination purposes, the limitation "previously defining in a definition table an abnormal status change to be detected in related business processes which are ***allowed to be executed simultaneously*** with each other by said client computers" will be interpreted as "previously defining in a definition table an abnormal status change to be detected in related business processes which are ***executed simultaneously*** with each other by said client computers." Independent claims 5, 12, and 17 recite a similar limitation and therefore incur the same rejection under 35 U.S.C. § 112, second paragraph.

Claim 1 recites the step of “notifying a client computer corresponding to the selected user of the occurrence of abnormality in the related business process so as to ***prevent the selected user from executing the interdependent business process***” (lines 14-16). If the related business processes are performed simultaneously with one another, it is not clear how an abnormality in one business process can prevent the start of execution of a related business process. It seems more accurate to say that the interdependent business process is prevented from being completed. For examination purposes, the limitation “notifying a client computer corresponding to the selected user of the occurrence of abnormality in the related business process so as to ***prevent the selected user from executing the interdependent business process***” will be interpreted as “notifying a client computer corresponding to the selected user of the occurrence of abnormality in the related business process so as to ***prevent the selected user from completing the interdependent business process.***”

Independent claims 5, 12, and 17 recite a similar limitation and therefore incur the same rejection under 35 U.S.C. § 112, second paragraph.

Claims 2, 4, 6, 8-11, 13-16, and 18-20 are dependent from independent claims 1, 5, 12, and 17, respectively, and therefore inherit the same rejections under 35 U.S.C. § 112, second paragraph.

In line 3 of claim 2, it is not clear whether an abnormal status change is being detected for just one or for more than one of the recited business processes. For examination purposes, “business processes” (line 3) will be interpreted as “at least one of the business processes.”

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Appropriate correction and/or clarification is required.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1, 2, 4-6, and 8-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Randell (U.S. Patent No. 5,826,020).

Randell discloses a workflow system connected to a plurality of client computers for executing business procedures each including a plurality of related business processes, at least one of the business procedures being allowed to execute some of the related business processes simultaneously, comprising:

[Claim 5] a definition table for defining an abnormal status change to be detected in related business processes which are allowed to be executed simultaneously (col. 16, lines 27-35 -- The system includes a component to detect errors, such as those invoked by a "SUSPEND process." In order to recognize such a command, Randell's system must contain some sort of correlation between a user invoking the "SUSPEND process" command and an appropriate response. A table denotes any collection of data where relationships, i.e., correlations, among the data are defined; therefore, a table of

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information is deemed inherent to Randell's system, especially due to the existence of a database of "procedure specifications and patterns" (Fig. 2, #212; col. 6, lines 55-58));

a status watcher for detecting a status change in a business process being executed, including an occurrence of an abnormal status change defined in said definition table (col. 16, lines 27-35 -- The system includes a component to detect errors, such as those invoked by a "SUSPEND process." In order to recognize such a command, Randell's system must contain some sort of correlation between a user invoking the "SUSPEND process" command and an appropriate response. A table denotes any collection of data where relationships, i.e., correlations, among the data are defined; therefore, a table of information is deemed inherent to Randell's system, especially due to the existence of a database of "procedure specifications and patterns" (Fig. 2, #212; col. 6, lines 55-58));

a workflow engine connected to the status watcher, for controlling the execution of each of the business procedures based on the status change detected by the status watcher and predetermined business procedure definitions (col. 6, lines 51-67 -- The workflow execution software oversees the functionality of the entire system); and

a notifier for notifying at least one of the client computers of the occurrence of the abnormal status change detected by the status watcher, when the user of the client computer has been already ordered to execute a business process interdependent to a business process in which the abnormal status change was detected, so as to prevent the user from executing the interdependent business process (col. 5, lines 43-48; col. 16, lines 27-55 -- The modifier node informs all nodes that need to re-perform their

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respective functionality due to the occurrence of an error, i.e., a detected abnormal status change. These nodes need to re-perform their respective functionality because the error occurrence prevented them from completing their functions to the desired accuracy);

[Claim 6] wherein the status watcher detects a discontinuance of the business process as said abnormal status change (col. 16, lines 27-35 -- The system includes a component to detect errors, such as those invoked by a "SUSPEND process");

[Claim 8] a resource selector for receiving an instruction and an identifier of the business process on which the abnormal status change was detected from the workflow engine, and selecting the client computer to be notified of said abnormal status change by referring predetermined rules previously defining the relation between predetermined business procedures and client computers, thereby to designate the client computer to said notifier (col. 2, lines 60-63; col. 4, lines 4-17; col. 5, lines 6-14, 28-39, 43-48, 65-67 -- The relationships among the procedures, work nodes, and human or automated agents are predefined; col. 16, lines 27-55 -- The modifier node informs all nodes that need to re-perform their respective functionality due to the occurrence of an error, i.e., a detected abnormal status change. These nodes need to re-perform their respective functionality because the error occurrence prevented them from completing their functions to the desired accuracy);

[Claim 10] wherein the status watcher, the workflow engine, the notifier and the resource selector are individual programs executed concurrently to control the



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execution of each of the business procedures (Fig. 2; 4, 5A, 10B; col. 5, lines 43-48; col. 6, lines 51-67);

[Claim 11] an exception handler unit for creating attributes to handle the abnormal status change detected by the status watcher (col. 2, lines 60-63; col. 4, lines 4-17; col. 5, lines 6-14, 28-39, 43-48, 65-67 -- The relationships among the procedures, work nodes, and human or automated agents are predefined; col. 9, lines 52-60 -- An event generator node assists in identifying when work has to be completed; col. 16, lines 27-55 -- The modifier node informs all nodes that need to re-perform their respective functionality due to the occurrence of an error, i.e., a detected abnormal status change. These nodes need to re-perform their respective functionality because the error occurrence prevented them from completing their functions to the desired accuracy); and

a user retrieval unit for selecting the user of the client computer in charge of a business process interdependent to the business process in which the abnormal status change was detected by the status watcher (col. 16, lines 27-55).

[Claims 1, 2, 4, 9] Claims 1, 2, 4, and 9 recite limitations already addressed by the rejection of claims 5, 6, 8, 10, and 11 above; therefore, the same rejection applies.

[Claims 12-16] Claims 12-16 recite limitations already addressed by the rejection of claims 5, 6, 8, 10, and 11 above; therefore, the same rejection applies.

[Claims 17-20] Claims 17-20 recite limitations already addressed by the rejection of claims 5, 6, 8, 10, and 11 above; therefore, the same rejection applies.

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**Conclusion**

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Fizsman et al. (U.S. Patent No. 6,115,646) -- Discloses an "observer" that "defines a one-to-many dependency between objects so that when one object changes state, all its dependents are notified and updated automatically" (col. 10, lines 39-42).

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susanna M. Diaz whose telephone number is (703) 305-1337. The examiner can normally be reached on Monday-Friday, 9 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (703) 305-9643.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703)308-1113.

Any response to this action should be mailed to:

**Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450**

or faxed to:

**(703)305-7687** [Official communications; including  
After Final communications labeled  
"Box AF"]

**(703)746-7048** [Informal/Draft communications, labeled  
"PROPOSED" or "DRAFT"]

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Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 22202, 7<sup>th</sup> floor receptionist.

*Susanna Diaz*

Susanna M. Diaz  
Primary Examiner  
Art Unit 3623  
October 22, 2003